

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

STANLEY DOUGLAS POWELL	§	
VS.	§	CIVIL ACTION NO. 1:09cv129
JOHN B. FOX	§	

MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Stanley Douglas Powell, an inmate confined at the United States Penitentiary at Beaumont, Texas, proceeding *pro se*, filed the above-styled petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning this case. The magistrate judge recommends the petition for writ of habeas corpus be denied.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the records, pleadings and all available evidence. Petitioner filed objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. After careful consideration, the court is of the opinion the objections are without merit. The grounds for review asserted by petitioner are not cognizable in a petition filed pursuant to 28 U.S.C. § 2241. *Reyes-Requena v. United States*, 243 F.3d 893 (5th Cir. 2001).¹

ORDER

Accordingly, petitioner's objections are **OVERRULED**. The findings of fact and

¹ Petitioner does correctly point out that convictions challenged in his petition occurred in 2001 rather than 1997 as stated in the Report and Recommendation.

conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered denying this petition for writ of habeas corpus.

So **ORDERED** and **SIGNED** this **20** day of **May, 2009**.

A handwritten signature in black ink, appearing to read "Ron Clark", is positioned above a horizontal line.

Ron Clark, United States District Judge